

**FOR CONSIDERATION AT THE JANUARY 20, 2011 MEETING OF THE
NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
Petition for Plan Conformance – Final Consistency Review and Recommendations Report**

APPENDIX C

PUBLIC COMMENTS/HIGHLANDS COUNCIL RESPONSES

Petition for Plan Conformance

Township of Mount Olive, Morris County

The following comments were received from the New Jersey Highlands Coalition:

Comment 1. It is mentioned that the Highlands Council will serve as lead for a Water Use and Conservation Management Plan for Mt. Olive, but no further information is given. While we support this Plan being prepared, and at this early stage in conformance throughout the Highlands it makes sense that the Council take the lead, no further information is provided making it impossible to evaluate and provide comments.

Response: As with the Highlands Council's current pilot projects for the development of Water Use and Conservation Management Plans in various project areas around the Highlands Region, additional plans, such as the one identified for Mount Olive Township, will be based on the Goals, Policies and Objectives (Chapter 4) and "Highlands Restoration: Water Deficits" Program (Chapter 5) within the Regional Master Plan, in collaboration with the municipality. As detailed in the program description, development of such plans is coordinated with the relevant municipalities, major water users, the NJ Department of Environmental Protection, and other interests. Water Use and Conservation Management Plans are approved by the Highlands Council after a public comment period.

Comment 2. Further information should be provided on Mt. Olive's Wastewater Management Plan as referred to in the conformance documents. The documents simply state "The municipality shall work with Morris County to prepare a Wastewater Management Plan for approval by the NJDEP. ..." Since DEP's Highlands Rules state, "For both the planning area and preservation areas, the Department shall review the Highlands Council regional master plan and consider amending the appropriate areawide Water Quality Management Plans to maintain consistency with the regional master plan. The Department shall approve a Water Quality Management Plan amendment only after receiving from the Highlands Council a determination of consistency with the Regional Master Plan," there is no indication if this has or will happen. Please advise.

Response: For municipalities that are not petitioning for Plan Conformance with the Regional Master Plan for the entire municipality, as is the case for Mt. Olive, the municipality will work with the County (in the cases of Hunterdon, Morris, Somerset and Sussex Counties) or directly with the NJDEP (in the case of Bergen, Passaic and Warren Counties) to develop their Wastewater Management Plan chapter for that municipality. The Highlands Council will review the draft Wastewater Management Plan and provide a Consistency Determination pursuant to N.J.A.C. 7:38-1.1.

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Where a municipality's Plan Conformance petition is approved for the full municipality, the Highlands Council will work directly with the municipality to develop the required Wastewater Management Plan that meets all requirements of both Plan Conformance and N.J.A.C. 7:15, and therefore will be fully compliant with N.J.A.C. 7:38-1.1 as well.